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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,236	07/22/2003	Thomas H. Rooney JR.	H1535-00019	7544

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DUANE MORRIS LLP
P. O. BOX 1003
305 NORTH FRONT STREET, 5TH FLOOR
HARRISBURG, PA 17108-1003

EXAMINER

BLAKE, CAROLYN T

ART UNIT PAPER NUMBER

3724

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/624,236

Applicant(s)

ROONEY, THOMAS H. 

Examiner

Carolyn T Blake

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 9, 22 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-21, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 12, 23, and 24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claims 12, 23, and 24 are objected to because of the following:
 - Line 2 of claim 12 states, "each are received." Change to - each is received- -.
 - Claim 23 appears to a duplication of claim 1. Claim 23 should be deleted.
 - Claim 24 appears to a duplication of claim 10. Claim 24 should be deleted.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 10, 11, 14-21, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vecchi (3,742,797) in view of Toeniskoetter (6,154,942).

Regarding claims 1, 8, 10, 23, and 24, Vecchi discloses a metal stamping system (FIGS 1-4) comprising: a press including; an upper die shoe (8) including a plurality of guide posts (10) arranged in a pattern and projecting outwardly from a bottom surface, a lower die shoe (1) positioned in confronting relation to said surface and including a first plurality of open ended tubular guide bushings (27) each having a first anti-friction bearing assembly (24, 25, and 28) positioned within a central passageway, and each

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located so as to receive a corresponding one of said guide posts (10); and a stripper-plate (13) positioned between said upper die shoe (8) and said lower die shoe (1), including a second plurality of open-ended tubular guide bushings (20) each having an outer surface and an inner surface and each projecting outwardly toward said lower die shoe (1) in a pattern corresponding to said pattern of guide posts (10) such that each of said first anti-friction bearing assemblies (24, 25, and 28) slidably engages an outer surface of a corresponding one of said second open ended guide bushing (20) wherein each of said second plurality of open-ended guide bushings (20) includes a second anti-friction bearing assembly (see FIG 4) positioned on said inner surface so as to engage a corresponding one of said guide posts (10); and spring means (18) for separating said upper shoe (8) from said lower shoe (1) after each downward stroke. However, Vecchi fails to disclose a ram with a bulbous protrusion. Toeniskoetter discloses a metal stamping system (FIG 3) comprising a press including a ram (14) having a bulbous protrusion projecting outwardly from an end. The bulbous protrusion is complementary to a recess (112) and projects outwardly from an intermediate plate positioned on an end of the ram. The bulbous protrusion of the ram (112) and the recess (112) work together to form the desired contour shape. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a ram with a bulbous protrusion and recess, as disclosed by Toeniskoetter, on the Vecchi device in order to create a contour shape.

Regarding claims 2, 3, and 15, Vecchi discloses each of said open-ended tubular guide bushings (20) includes an annular shoulder that projects radially outwardly from a

top end. See FIG 3. Furthermore, Vecchi discloses each of said open-ended tubular guide bushings (20) comprises an internal passageway defined by a hardened surface and sized to slidingly accept one of said first anti-friction bearing assemblies (24, 25, and 28).

Regarding claims 4, 6, 17, and 20, Vecchi discloses each of said anti-friction bearing assemblies (24, 25, and 28) includes a plurality of circularly and longitudinally spaced ball bearings (25) that are each confined in a bearing cage (24), wherein said ball bearings (25) are preloaded against said hardened surface.

Regarding claims 5 and 7, Vecchi discloses each of said anti-fiction bearing assemblies (24, 25, and 28) comprises an open ended tubular cylinder (28).

Regarding claim 11, Vecchi discloses the upper die shoe (8) includes at least two of said guide posts (10) that are each received within one of said first open ended tubular guide bushings (27).

Regarding claim 14, Vecchi discloses the stripper-plate (13) includes a pattern of peripheral through-bores (FIG 1) arranged in corresponding relation to the positions of said guide posts (10) and said first plurality of open ended tubular guide bushings (27).

Regarding claim 16, Vecchi discloses each of said internal passageways is defined by a hardened surface, and is sized to slidingly receive a first anti-friction bearing assembly (24, 25, and 28) and one of said guide posts (10).

Regarding claim 18, Vecchi discloses the bearing cage (24) is cylindrical, and sized so as to longitudinally enclose and encircle one of said guide posts (10).

Regarding claim 19, Vecchi discloses each of said first anti-friction bearing assemblies (24, 25, and 28) is located between said guide post (10) and bearing cage (24) so as to allow for a prestressed loading of said ball bearings (25) against an outer surface of said guide post (10).

Regarding claim 21, Vecchi discloses each of said bearing cages (24) is cylindrical, and each is sized so as to (i) longitudinally enclose and encircle one of said second plurality of open-ended tubular guide bushings (20), and (ii) be received within one of said first plurality of open-ended tubular guide bushings (27).

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vecchi in view of Toeniskoetter as applied to claim 10 above, and further in view of Beck (1,968,595).

Vecchi discloses the upper die shoe (8) includes four guide posts (10) wherein each is received within one of the first open ended tubular guide bushings (27). Vecchi in view of Toeniskoetter fails to disclose six guideposts. However, Beck discloses a metal stamping system comprising a press with an upper die shoe (4), a lower die shoe (1), and a stripper plate (48). The upper die shoe includes six guide posts (3). See FIG 3. The additional guide posts provide greater precision of the stamping system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide six guide posts, as disclosed by Beck, on the Vecchi and Toeniskoetter combination in order to provide greater precision while stamping.

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4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vecchi in view of Toeniskoetter as applied to claim 10 above, and further in view of Janiszewski (4,003,283).

Vecchi discloses a spring means (18) for separating the upper shoe (8) from the lower shoe (1), but fails to disclose the spring is mounted to the guide post.

Janiszewski discloses a stamping system with an upper die shoe (10) and a lower die shoe (14) wherein the guide post (10) includes a recess defined at a free end (bottom of 10), having a spring (72) mounted therein for separating said upper shoe (10) from said lower shoe (14) after each downward stroke. This arrangement with the bearing balls provides uniform guided movement of the guide post (col. 1, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a spring on the free end of the guide post, as disclosed by Janiszewski, on the Vecchi and Toeniskoetter device in order to provide uniform guided movement of the guide post.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stroh (3,568,55), Grabbe (5,927,140), Schroth et al (6,311,597 B1), and Gargrave et al (3,554,060) disclose metal stamping systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CB

December 8, 2004



Allan N. Shoap
Supervisory Patent Examiner
Group 3700